

## COMPLIANCE BOARD OPINION 93-5

April 23, 1993

*Mr. Conrad P. Potemra*

The Open Meetings Compliance Board has considered your complaint dated December 22, 1992, concerning the adequacy of the notice of a meeting between the Poolesville Town Commissioners and the Planning Commissioners on December 8, 1992.

Your complaint states that the meeting in question was not advertised in a newspaper generally used by the Town Commissioners for public notices. "Nor," your complaint continues, "was this meeting announced at the regular Poolesville Town Commissioners meeting the previous night."

In a timely response on behalf of the Commissioners, Mr. James E. Alsobrook, Jr., the Town Manager, indicated that the work session between the Commissioners and the Planning Commission "was announced at the Commissioners meeting on November 30, 1992 which was attended by Mr. Potemra and two local newspapers as well as other citizens of Poolesville."

In §10-506(c), the Open Meetings Act itemizes the methods by which a public body may give notice of a closed or open session:

- (1) if the public body is a unit of the State government, by publication in the Maryland Register;
- (2) by delivery to representatives of the news media who regularly report on sessions of the public body or the activities of the government of which the public body is a part;
- (3) if the public body previously has given public notice that this method will be used, by posting or depositing the notice at a convenient public location at or near the place of the session; or
- (4) by any other reasonable method.

In the view of the Compliance Board, announcement of a future meeting at an open meeting attended by members of the press and public is a "reasonable method"

of affording notice. The presence of the press at the Town Commissioners' November 30 meeting meant that the Commissioners' announcement of the future work session was in substantial compliance with one of the means specified in §10-506(c), "delivery to representatives of the news media ...."

While it might be the better practice for a public body in such a situation to follow up its oral announcement with a written posting, the Compliance Board finds that the actions of the Poolesville Town Commissioners did not violate the notice provisions of the Open Meetings Act.

OPEN MEETINGS COMPLIANCE BOARD

Walter Sondheim, Jr.  
Courtney McKeldin  
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